

REMARKS

[0002] Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 C.F.R. §1.116 as they place the application in better form for appeal, or for resolution on the merits.

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 20-38 are presently pending. Claims amended herein are: 28 and 33. Claims cancelled herein without prejudice are: 1-19, 34, and 36. No new claims are added herein.

Statement of Substance of Interview

[0004] The Examiners graciously met with me—the undersigned representative for the Applicant—on April 29, 2008. Applicant greatly appreciates the Examiners' willingness to talk. Such willingness is invaluable to each of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, we discussed distinctions between the claims and the cited references. Without conceding the propriety of the rejections and in the interest of expediting prosecution, we also discussed several possible clarifying amendments.

[0006] I understood the Examiners to agree that independent claims 28 and 33 would be patentable over the cited references if amended as discussed during the interview. However, the Examiners indicated that the proposed amendment to claim 15 would require further consideration.

[0007] Applicant herein amends claims 28 and 33 in the manner discussed during the interview, and cancels claims 1-19, 34 and 36 without prejudice. Accordingly, Applicant submits that the pending claims are allowable over the cited references of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 28 and 33 herein. Applicant amends claims to clarify claimed features in accordance with our discussion with the Examiners. Such amendments are made to expedite prosecution and quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to cited prior art.

Substantive Matters

Allowed Claims

[0011] Applicant thanks the Examiner for indicating allowability of claims 20-27.

Claim Rejections under § 103

[0012] Claims 1-10, 12-19 and 28-38 are rejected under 35 U.S.C. §103. In light of the amendments presented herein and the decisions/agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Independent Claims 28 and 33

[0013] Without conceding the propriety of any of the pending rejections, Applicant submits that independent claims 28 and 33, as amended, are allowable for at least similar reasons as independent claim 20. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Dependent Claims 29-32, 35, 37 and 38

[0014] These claims ultimately depend upon independent claims 28 and 33. As discussed above, claims 28 and 33 are allowable. It is axiomatic that any dependent

claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Dependent Claims

[0015] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0016] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant



Bea Koempel-Thomas (bea@leehayes.com; x259)
Registration No. 58,213

Kayla D. Brant (kayla@leehayes.com; x242)
Registration No. 46,576

Customer No. **22801**

Telephone: (509) 324-9256
Facsimile: (509) 323-8979
www.leehayes.com

Dated: 7/13/08